

FILED 10 MAY 25 14:48 USC-ORP

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

MICHAEL WORTHINGTON,

Plaintiff,

Civil No. 09-51-JE

v.

O R D E R

MICHAEL J. ASTRUE,  
Commissioner, Social Security  
Administration,

Defendant.

---

HAGGERTY, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation [26] in this action that recommended that the Commissioner's decision that plaintiff did not suffer from disability and is not entitled to disability benefits and Supplemental Security Income benefits should be reversed and remanded to the Commissioner for a finding of disability and an award of benefits. No objections were filed to this Findings and Recommendation, and the case was referred to me.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974).

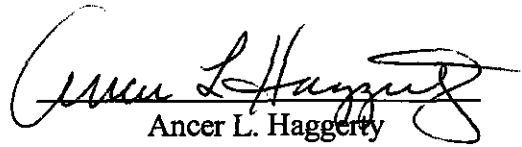
No clear error appears on the face of the record. This court adopts the Findings and Recommendation.

**CONCLUSION**

The Magistrate Judge's Findings and Recommendation [26] is adopted. Judgment shall be entered REVERSING the Commissioner's decision denying plaintiff Michael Worthington's applications for benefits and REMANDING this action to the agency for a finding of disability and an award of benefits.

IT IS SO ORDERED.

Dated this 25 day of May, 2010.

  
Ancer L. Haggerty  
United States District Judge